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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT		Docket Number (Optional) 00-40175-USP2DC
<p>In re Application of: Shacknai et al. Application No.: 10/829,426 Filed: April 21, 2004 For: COMPOSITIONS AND METHODS FOR HIGH SORPTION OF SKIN MATERIALS AND DELIVERY OF SULFUR</p>		
<p>The owner*, <u>Medicis Pharmaceutical Corp.</u>, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. <u>6,787,160</u>. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an Attorney or Agent of record.</p> <p><u>3/29/05</u> Date</p> <p><u>Maryellen Feehery</u> Signature</p> <p><u>Maryellen Feehery (Reg. No. 44,677)</u> Typed or printed name</p> <p><input type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.</p> <p>*Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</p>		

ReedSmith

Maryellen Feehery
Direct Phone: 215.241.7988
Email: mfeeher@reedsmith.com

Reed Smith LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103-7301
215.851.8100
Fax 215.851.1420

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

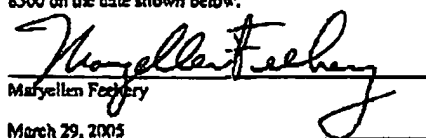
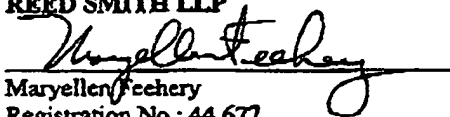
Re: U.S. Patent Application Serial No. 10/829,426
Inventor: Shacknai, et al.
Filed: April 21, 2004
Our Ref.: 00-40175-USP2DC
848966.20251

Dear Sir:

Transmitted herewith for filing please find the following in connection with the above-identified application:

1. Terminal Disclaimer related to the Patent which will issue from Serial No. 10/829,426.

The Commissioner is hereby authorized to charge the fee for the terminal disclaimer and any deficiencies or credit any overpayment in the enclosed amount to deposit account #18-0586.

<p>I hereby certify that this paper and the papers referred to herein as being transmitted, submitted or enclosed herewith in connection with U.S. Serial No. 10/829,426 is/are being facsimile transmitted to the United States Patent and Trademark Office fax number 571-273-8300 on the date shown below:</p> <p> Maryellen Feehery March 29, 2005 Date of Facsimile Transmission</p>	<p>Respectfully submitted, REED SMITH LLP  Maryellen Feehery Registration No.: 44,677 William J. McNichol, Jr. Registration No. 31,179 2500 One Liberty Place 1650 Market Street Philadelphia, PA 19103-7301 (215) 241-7988 Attorneys for Applicant</p>
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reedsmith.com

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